FILED

MAY -8 2017

CLERK, US DISTRICT COURT
NEWPORT NEWS, VA

# UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

In the Matter of the Seizure of
*(Briefly describe the property to be seized)*
Funds represented by Jones Lang Lasalle Americas Inc./
Bank of America check # 554429 in the amount of
$7,983.10 and payable to Mickle Management

Case No. 4:17-sw-20

## APPLICATION FOR A WARRANT TO SEIZE PROPERTY SUBJECT TO FORFEITURE

I, a federal law enforcement officer or attorney for the government, request a seizure warrant and state under penalty of perjury that I have reason to believe that the following property in the Eastern District of Virginia is subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(6) *(describe the property)*:

Funds represented by Jones Lang Lasalle Americas Inc./Bank of America check # 554429 in the amount of $7,983.10 and payable to Mickle Management LLC.

This property is also subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A).

The application is based on these facts:
Please see the attached affidavit and exhibits.

☐ Continued on the attached sheet.

*Applicant's signature*

Special Agent Brendan Shelley, Homeland Security Investigations
*Printed name and title*

Reviewed by AUSA/SAUSA:
Kevin Hudson

Sworn to before me and signed in my presence.

Date: 5-8-17

*Judge's signature*

City and state: Newport News, Virginia

Lawrence R. Leonard, U.S. Magistrate Judge
*Printed name and title*

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA**

Newport News Division

| | | |
|---|---|---|
| **IN THE MATTER OF THE SEIZURE OF THE FOLLOWING PROPERTY** | ) ) ) | |
| **Funds represented by Jones Lang Lasalle Americas Inc./Bank of America Check # 554429 in the amount of $7,983.10 and payable to Mickle Management LLC** | ) ) ) ) | **Case No. 4:17-sw-**30 |

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEIZURE WARRANT**

I, Brendan M. Shelley, being duly sworn, depose and state:

**INTRODUCTION**

1. I am a Special Agent with the U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE). I am assigned to ICE Homeland Security Investigations (HSI) – Washington, D.C. I have been employed as a Special Agent with ICE since October 2007. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the ICE Special Agent Training Program. My duties as a Special Agent for ICE HSI include investigating administrative and criminal violations of the Immigration and Nationality Act, United States customs laws, and other federal criminal violations to include wire fraud, bank fraud, and money laundering. Prior to becoming a Special Agent, I was an ICE Management and Program Analysis with ICE's Office of the Principal Legal Advisor.

2. The facts and information contained in this affidavit are based upon my training and experience, participation in other investigations, personal knowledge and observations during the course of this investigation, as well as the observations of other agents involved in this investigation. All observations not personally made by me were relayed to me by the individuals

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who made them or are based on my review of records, documents and other physical evidence obtained during the course of this investigation.

3. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. As further described below, this affidavit is made in support of an application for a seizure warrant for funds described in the heading of this affidavit above that are subject to civil forfeiture under 21 United States Code, Section 881(a)(6), which includes "all proceeds traceable to" an exchange of money for drugs. There is probable cause to show that Jayson MICKLE invested the proceeds of his drug trafficking organization into real property. MICKLE, through property management companies to include MICKLE MANAGEMENT LLC, leased the properties purchased with drug proceeds in order to generate a seemingly legitimate income stream. The revenue generated through MICKLE's property management companies to include MICKLE MANAGEMENT LLC also remains subject to civil forfeiture under Title 18, United States Code, 981(a)(1)(A) as property involved in concealment money laundering, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i). The funds are subject to seizure under Title 18, United States Code, Section 981(b)(1) and Title 21, United States Code, Section 881(b).

5. Your affiant's responsibilities in the MICKLE investigation involve the identification of criminally derived assets belonging to Jayson MICKLE and his co-conspirators. Your affiant has participated in the above captioned investigation since October 2014.

**PROBABLE CAUASE**

6. On June 27, 2016, Jayson MICKLE signed a Statement of Facts that was submitted in conjunction with a plea agreement whereby MICKLE pled guilty to criminal charges associated with Eastern District of Virginia criminal case no. 4:15-cr-18. Specifically, MICKLE pled guilty to conspiracy to distribute and possess with intent to distribute controlled substances and controlled substance analogues, in violation of Title 21, United States Code, Section 846. A fair

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and accurate copy of the Statement of Facts is attached to this affidavit and is labeled EXHIBIT 1. In the statement of facts, MICKLE admitted to operating businesses in the Hampton Roads area that retailed and wholesaled smokeable synthetic cannabinoids, commonly known as "Spice" in violation of Title 21, United States Code, Section 846.

7. MICKLE admitted to using his spice proceeds to invest in real properties which he rented out. MICKLE leased these properties through property management companies to include MICKLE MANAGEMENT LLC, a property management company of which he was the owner.

8. MICKLE agreed to the forfeiture of these real properties in a Consent Order of Forfeiture dated June 27, 2016. A fair and accurate copy of the Consent Order of Forfeiture is attached to this affidavit and is labeled EXHIBIT 2.

9. During the pendency of MICKLE's criminal charges and related forfeiture matters, MICKLE's property management companies were permitted to continue managing the aforementioned real properties, which were later forfeited in the above-described Consent Order of Forfeiture.

10. On March 15, 2017, a Final Order of Forfeiture was entered in Jayson MICKLE's case, which finalized the forfeiture of 26 pieces of real property, including properties managed by MICKLE's property management companies described above. A fair and accurate copy of that Final Order of Forfeiture is attached to this affidavit as EXHIBIT 3.

11. On April 10, 2017, Special Agents with ICE HSI took steps to seize the properties listed in the Final Order of Forfeiture. The process of seizing the properties and executing on the Final Order of Forfeiture is ongoing.

12. On April 27, 2017, your affiant received information from MICKLE's Property Manager that he had received Jones Lang Lasalle Americas Inc./Bank of America check #554429 in the amount of $7,983.10 payable to Mickle Management LLC. MICKLE's Property Manager advised that these funds represented Bank of America's rental payment for the 1 West Queens

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Way building located in the City of Hampton. The property at 1 West Queens Way was included in both the aforementioned Consent Order of Forfeiture and the Final Order of Forfeiture. As mentioned above, the Final Order of Forfeiture in MICKLE's case was entered on March 15, 2017. The $7,983.10 check which the government seeks to seize here was dated April 19, 2017. As set forth in the Final Order of Forfeiture at paragraphs 1 and 14, upon entry of that order, all right, title and interest in the properties listed in the order passed to the United States, consistent with the provisions of Title 21, United States Code, Section 853(n)(7). As such, the $7,983.10 check which the government seeks to seize, representing a rent payment for 1 West Queens Way, really should have been made payable to the United States in the first place, given that it was drawn over a month after the United States took clear title to 1 West Queens Way. In other words, by April 2017, the United States had become the landlord for 1 West Queens Way.

13. As MICKLE stipulated in his statement of facts, the real properties listed in the forfeiture allegation of the second superseding indictment, which include 1 West Queens Way, were purchased with spice proceeds. MICKLE also stipulated that he rented those properties out. From those rentals, MICKLE collected rent payments through his property management companies like MICKLE MANAGEMENT LLC. The $7,983.10 check which the government seeks to seize here represents one such rental payment.

14. Based on your affiant's training and experience and the facts of this investigation, including those facts admitted by Jayson MICKLE in his statement of facts, the funds represented by Jones Lang Lasalle Americas Inc./Bank of America check #554429 in the amount of $7,983.10 payable to Mickle Management LLC constitute both the proceeds of drug trafficking and property involved in concealment money laundering. I am told that the case law indicates that income generated by proceeds is also considered proceeds. These funds are subject to civil forfeiture under Title 21, United States Code, Section 881(a)(6), which provides for the forfeiture of "all proceeds traceable to" an exchange of money for drugs. Furthermore,

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since MICKLE took his drug money and invested it into real properties in an attempt to have a seemingly legitimate income stream, the funds are also subject to civil forfeiture under Title 18, United States Code, Section 981(a)(1)(A) as property involved in concealment money laundering.

15. Civil seizure of the funds is authorized under Title 18, United States Code, Section 981(b)(1) and Title 21, United States Code, Section 881(b).

16. Based on the foregoing, your affiant respectfully requests that a seizure warrant be issued for the Jones Lang Lasalle Americas Inc./Bank of America check #554429 in the amount of $7,983.10 payable to Mickle Management LLC. Upon execution of the seizure warrant, your affiant plans to return the aforementioned check to Jones Lang Lasalle Americas Inc./Bank of America with instructions to void that check and send a new check in the same amount payable to Department of Homeland Security/Customs and Border Protection. An "attachment A" is included with the seizure warrant with instructions to this effect.

Brendan M. Shelley, Special Agent
U.S. Immigration and Customs Enforcement
Homeland Security Investigations

Read and Approved:

Kevin Hudson
Assistant United States Attorney

Sworn to and subscribed to before me this 8th day of May, 2017.

The Hon. Lawrence R. Leonard
United States Magistrate Judge
Norfolk, Virginia

FILED
IN OPEN COURT
JUN 27 2016
CLERK, U.S. DISTRICT COURT
NORFOLK, VA

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Newport News Division

| | | |
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| UNITED STATES OF AMERICA | ) | |
| | ) | |
| v. | ) | Criminal No. 4:15-cr-18 |
| | ) | |
| JAYSON MICKLE, | ) | |
| | ) | |
| Defendant | ) | |

STATEMENT OF FACTS

The parties stipulate that the allegations in Count One of the Second Superseding Indictment and the following facts are true and correct, and that had the matter gone to trial the United States would have proven them beyond a reasonable doubt by admissible evidence, consisting of the following:

1. Defendant JAYSON MICKLE was assisted by his father and co-defendant David Jay Mickle in starting Hampton Pipe and Tobacco and Blazin Herbs. In late 2008, the two opened up Hampton Pipe and Tobacco, which had its first stores in Norfolk and Hampton. The Norfolk store closed in 2010. JAYSON MICKLE began as a fifty percent owner of Hampton Pipe and Tobacco, with the other fifty percent being owned by David Jay Mickle.
2. JAYSON MICKLE also started as a one-third owner of Blazin Herbs. JAYSON MICKLE, David Jay Mickle, and Margaret Cooper began Blazin Herbs in the summer of 2010.
3. Hampton Pipe and Tobacco and Blazin Herbs were both businesses that sold synthetic cannabinoids, commonly referred to as "spice." Spice mimics the effects of THC, the

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active ingredient in marijuana. Hampton Pipe and Tobacco was the retail operation, whereas Blazin Herbs, later 7 City Gifts, was a wholesale operation.

4. JAYSON MICKLE bought out David Jay Mickle's interest in both operations in 2011 and compensated David Jay Mickle through disbursements from the companies based on the companies' quarterly profits. These disbursements to David Jay Mickle continued into 2013.
5. JAYSON MICKLE bought out Cooper's interest in Blazin Herbs in November 2011.
6. After the Norfolk store closed, Hampton Pipe and Tobacco had three remaining storefront locations. The main Hampton Pipe and Tobacco retail store was located at 86 West Mercury Boulevard in Hampton. The two other storefront locations were in Newport News and Gloucester County. Across the street from the Hampton Pipe and Tobacco store in Hampton was the Hampton Pipe and Tobacco/Blazin Herbs warehouse, located at 85 West Mercury Boulevard. JAYSON MICKLE, David Jay Mickle, Margaret Cooper and others used the warehouse at 85 West Mercury Boulevard to store spice and paraphernalia inventory for both Hampton Pipe and Tobacco and Blazin Herbs. Whereas 86 West Mercury Boulevard was open to the public, 85 West Mercury Boulevard was not. JAYSON MICKLE and David Jay Mickle jointly owned the warehouse premises at 85 West Mercury Boulevard. The stores in Newport News and Gloucester were rented, as was 86 West Mercury Boulevard.
7. The wholesale operation, Blazin Herbs, had both a local and a national presence. Blazin Herbs had a website, which JAYSON MICKLE and Phillip Gibson used to make sales of spice throughout the United States. Jake Pham was a wholesale representative making national sales, but was not part of the website sales. Blazin Herbs used the mail to ship

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the spice to various locations in the United States. Likewise, both Blazin Herbs and Hampton Pipe and Tobacco ordered and received wholesale shipments of spice through the mail. In addition, JAYSON MICKLE, Margaret Cooper, Phillip Gibson, Jake Pham, and others also sold spice wholesale in the Hampton Roads area through the Blazin Herbs operation.

8. In about April 2013, Blazin Herbs became 7 City Gifts, though the activities of the business remained the same after the name change. The majority of its wholesale sales were spice.

9. In about April 2014, JAYSON MICKLE sold Hampton Pipe and Tobacco and 7 City Gifts to a third party. Throughout his ownership and control of Hampton Pipe and Tobacco and Blazin Herbs/7 City Gifts, JAYSON MICKLE, Phillip Gibson, Jake Pham, David Jay Mickle, Margaret Cooper and others sold spice blends with names such as Headtrip, Hedgehog, Hampster Purp, Hampster, HPT Cherry, Yella, Easta Pink, Bizarro, Orgazmo, Wet, and Sonic Zero. Hampster, and Hampster Purp were blends of spice created by JAYSON MICKLE and were mostly manufactured by others including co-defendants Charles Burton Ritchie, Benjamin Galecki, and Christopher Ellis.

10. Although Hampton Pipe and Tobacco and Blazin Herbs/7 City Gifts marketed this spice as "incense" or "potpourri" that was "not for human consumption," in fact JAYSON MICKLE knew that the spice Hampton Pipe and Tobacco and Blazin Herbs/7 City Gifts sold contained synthetic cannabinoid chemicals such as XLR-11, UR-144, PB-22, AM-2201 and AB-FUBINACA, among others. While this spice was labeled "not for human consumption," JAYSON MICKLE knew that this spice he and others at Hampton Pipe and Tobacco and Blazin Herbs/7 City Gifts were selling would be smoked by people for

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the purpose of becoming intoxicated. JAYSON MICKLE instructed his employees that the spice was to be called herbal incense or potpourri. JAYSON MICKLE further advised employees that by law the packets of spice had to be marked "not for human consumption," despite the fact that JAYSON MICKLE knew that the spice was to be smoked for its intoxicating properties.

11. Through Hampton Pipe and Tobacco and Blazin Herbs/7 City Gifts, JAYSON MICKLE and others obtained spice for resale from numerous sources. Those sources included co-defendants Charles Burton Ritchie, Benjamin Galecki, Christopher Ellis and others. Ritchie and Galecki operated Zencense Incense Works, a Florida-based company. The company's name was later changed to ZenBio. MICKLE and others obtained such blends of spice as Hampster Purp, HPT Cherry, Bizarro, Sonic Zero, and Orgazmo from Zencense and Zenbio during the period spanning January 2012 to April 2013, often in shipments of several kilograms at a time. The spice sourced through Zencense and ZenBio was then resold in the Hampton Roads area and elsewhere through Hampton Pipe and Tobacco, as well as Blazin Herbs/7 City Gifts. Between January 2012 and April 2013, Hampton Pipe and Tobacco and Blazin Herbs/7 City Gifts purchased 1,060 kilograms of spice from Zencense/ZenBio for resale.

12. Christopher Ellis and others operated a Utah-based company called Evening Ease, which manufactured spice for JAYSON MICKLE's companies in Virginia. Once Ellis and others obtained the raw spice chemicals and manufactured the spice, Ellis and others would send the spice to Mickle's businesses in the Hampton Roads area. Once received, that spice would be retailed from the Hampton Pipe and Tobacco stores, as well as wholesaled through the Blazin Herbs/7 City Gifts operation.

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13. In about April 2013, JAYSON MICKLE acquired property at 915 G Street in Hampton, Virginia. The building was acquired, in part, to manufacture spice. JAYSON MICKLE allowed an unindicted co-conspirator to set up a spice manufacturing operation at 915 G Street. When this manufacturing operation at G Street first began, the operation employed approximately seven to ten people who ran the operation for about eight hours per day. By 2014, the G Street operation employed about ten to fifteen people who ran the operation in shifts, manufacturing spice twenty-four hours per day. The G Street operation produced such blends of spice as Hedgehog, Blue Diamond, Pink Diamond and Yella Diamond. These blends contained such chemicals as UR-144, XLR-11, AB-FUBINACA, and AB-PINACA. At times, Justin Calderon assisted in the importation of raw synthetic cannabinoid chemicals used to manufacture the final spice product.

14. Blazin Herbs/7 City Gifts also had numerous local wholesale customers in the Hampton Roads area. One of those local wholesale customers was the Red Barn, a gas station and convenience store located in Newport News and run by co-defendants Nader and Sharif Abdallah. From November 2013 to February 2014, 7 City Gifts sold approximately 19 kilograms of spice to the Red Barn. The Red Barn paid a total of $49,667 for those 19 kilograms of spice. That spice sold to the Red Barn included various flavors of Hedgehog, Diamond, and Dr. Feel Good Kush.

15. In addition to selling spice through Hampton Pipe and Tobacco and Blazin Herbs/7 City Gifts, JAYSON MICKLE and others would also sell glass smoking devices. Hampton Pipe and Tobacco would often sell spice simultaneously with these glass smoking devices. JAYSON MICKLE manufactured a significant portion of the glass smoking devices through his own outfits such as Angry Monkey Glass and Swagger Glass.

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JAYSON MICKLE also obtained additional glass smoking devices for sale from outside vendors.

16. JAYSON MICKLE and others often used the internet and e-mail to market and further the wholesale spice operations of Blazin Herbs and 7 City Gifts to retailers across the United States. During his time working with Mickle at Blazin Herbs/7 City Gifts, Phillip Gibson received e-mails from retailers across the country indicating that they had decided not to continue carrying spice in their stores because of issues with the product's legality. Gibson frequently shared these e-mails with JAYSON MICKLE. JAYSON MICKLE knew as early as March 2011 that selling banned spice for human consumption was illegal.

17. JAYSON MICKLE delegated many administrative functions for Hampton Pipe and Tobacco and Blazin Herbs/7 City Gifts to his mother, co-defendant Sandra Cooke. Employees were obligated to report to co-defendant Sandra Cooke, who had the title of Operations Manager for Hampton Pipe and Tobacco, as well as Blazin Herbs/7 City Gifts. These employees had to report to Cooke at regular intervals, often multiple times per week, and had to confer with Cooke prior to undertaking business transactions on behalf of JAYSON MICKLE's spice outfits. Cooke was also responsible for doing the accounting for Blazin Herbs/7 City Gifts and Hampton Pipe and Tobacco. Employees were obligated to furnish sales figures to Cooke and would frequently contact Cooke to locate JAYSON MICKLE.

18. From 2010 through 2012, Hampton Pipe and Tobacco grossed $9,699,428 in spice sales. As time went on Hampton Pipe and Tobacco's competitors began going out of business,

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often due to law enforcement intervention. As this occurred, Hampton Pipe and Tobacco's spice revenues grew over time.

19. JAYSON MICKLE and his businesses used numerous bank accounts at BB&T and Bank of America, which accounts are listed in the forfeiture allegation of the second superseding indictment. Having amassed significant wealth through Hampton Pipe and Tobacco and Blazin Herbs/7 City Gifts, JAYSON MICKLE took his spice proceeds and reinvested them in other business ventures. One such significant investment for JAYSON MICKLE was real property, which he rented out. JAYSON MICKLE used spice proceeds to purchase at least two dozen real properties for rental, which properties are listed in the forfeiture allegation of the second superseding indictment. JAYSON MICKLE also used his spice proceeds to buy items for himself, including cars, RVs, ATVs, a personal residence located at 69 Chowning Drive in Hampton and a 36 foot boat named the "Slow Dance."

20. JAYSON MICKLE acknowledges that the foregoing statement of facts does not describe all of his conduct relating to the offenses charged in this case, nor does it identify all of the persons with whom he may have engaged in illegal activities.

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Respectfully submitted,

Dana J. Boente
United States Attorney

By: ______________________

Eric Hurt and Kevin Hudson
Assistant United States Attorneys
Attorneys for the United States
721 Lakefront Commons, Suite 300
Newport News, Virginia 23606
Office Number: (757) 591-4000
Facsimile Number: (757) 591-0866
Email Address: eric.hurt@usdoj.gov
kevin.hudson@usdoj.gov

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, Jayson Mickle and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Jayson Mickle 6/27/16

Jayson Mickle

I am Jayson Mickle's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Andrew Protogyrou, Esquire
Counsel for Jayson Mickle

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FILED
IN OPEN COURT
JUN 27 2016
CLERK, U.S. DISTRICT COURT
NORFOLK, VA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

UNITED STATES OF AMERICA )
)
v. ) Criminal No. 4:15-cr-18
)
JAYSON MICKLE, )
)
Defendant. )

## CONSENT ORDER OF FORFEITURE

BASED UPON the defendant's plea agreement with the United States, and FINDING that the requisite nexus exists between the property listed below, in which the defendant has an interest, and the offense(s) to which the defendant has pled guilty, IT IS HEREBY ORDERED pursuant to Federal Rule of Criminal Procedure 32.2 that:

1. The following property is forfeited to the United States pursuant to 21 U.S.C. §853:

**2011 Ford Explorer registered to Jayson Mickle with VIN # 1FMHK8D82BGA21112.**

**Real property and improvements located at 1554 North King Street, Hampton, Virginia, titled in the name of Jayson E. Mickle.**

**Real property and improvements located at 5907 Potomac Avenue, Newport News, Virginia, titled in the name of Jayson Mickle.**

**Real property and improvements located at 127 Roland Drive, Hampton, Virginia, titled in the name of Jayson Mickle.**

**Real property and improvements located at 25 Hard Wood Drive, Hampton, Virginia, titled in the name of Jayson Mickle.**

**Real property and improvements located at 1007 80th Street, Newport News, Virginia, titled in the name of Jayson Mickle.**

**Real property and improvements located at 3302 Chestnut Avenue, Newport News, Virginia, titled in the name of Jayson Mickle.**

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**Real property and improvements located at 5001 Krick Street, Norfolk, Virginia, titled in the name of Jayson Mickle.**

**2004 36' Hunter "Slow Dance" with official number 1150109 in the name of Jayson Mickle.**

**Real property and improvements located at 83 West Mercury Boulevard, Hampton, Virginia, titled in the names of Jayson Mickle and David Mickle.**

**Real property and improvements located at 85 West Mercury Boulevard, Hampton, Virginia, titled in the names of Jayson Mickle and David Mickle.**

**Real property and improvements located at 108 Twin Oaks Drive, Hampton, Virginia, titled in the name of Hampton Pipe & Tobacco LLC (Jayson Mickle).**

**Real property and improvements located at 229 Pear Avenue, Newport News, Virginia, titled in the name of Mickle Properties LLC (Jayson Mickle).**

**Real property and improvements located at 41 Gumwood Drive, Hampton, Virginia, titled in the name of Mickle Properties LLC (Jayson Mickle).**

**Real property and improvements located at 12 Watts Drive, Hampton, Virginia, titled in the name of Mickle Properties LLC (Jayson Mickle).**

**Real property and improvements located at 382 Schley Avenue, Hampton Virginia, titled in the name of Mickle Properties LLC (Jayson Mickle).**

**Real property and improvements located at 7 Pine Lane, Hampton, Virginia, titled in the name of Mickle Properties LLC (Jayson Mickle).**

**Real property and improvements located at 69 Chowning Drive, Hampton, Virginia, titled in the name of Jayson Mickle (Jayson Mickle).**

**Real property and improvements located at 647 Grimes Road, Hampton, Virginia, titled in the name of Mickle Properties LT LLC (Jayson Mickle).**

**Real property and improvements located at 1904 Long Green Lane, Hampton, Virginia, titled in the name of Mickle Properties LT LLC (Jayson Mickle).**

**Real property and improvements located at 1128 Elizabeth Court, Newport News, Virginia, titled in the name of Mickle Properties LLC (Jayson Mickle).**

**Real property and improvements located at 434 Rogers Avenue, Hampton, Virginia, titled in the name of Mickle Properties LT LLC (Jayson Mickle).**

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**Real property and improvements located at 1111 Easterly Avenue, Hampton, Virginia, titled in the name of Mickle Properties LT LLC (Jayson Mickle).**

**Real property and improvements located at 1285 Old Buckroe Road, Hampton, Virginia, titled in the name of Mickle Properties LLC (Jayson Mickle).**

**Real property and improvements located at 3003 Marshall Avenue, Newport News, Virginia, titled in the name of Marshall Avenue LLC (Jayson Mickle).**

**Real property and improvements located at 106 Mulberry Avenue, Newport News, Virginia, titled in the name of Jayson Mickle.**

**Real property and improvements located at 915 G Street, Hampton, Virginia, titled in the name of G Street LLC (Jayson Mickle).**

**Real property and improvements located at 1 West Queens Way, Hampton, Virginia, titled in the name of 1 West Queens Way LLC (Jayson Mickle).**

**2011 Ford Mustang registered to Hampton Pipe and Tobacco LLC with VIN # 1ZVBP8CF7B5144893 (Jayson Mickle).**

**2001 Ford Motor Home registered to Mickle Properties LLC with VIN # 1FDXE45SXYHB98029 (Jayson Mickle).**

**2006 Suzuki LT450R registered to Jayson Mickle with VIN # JSAAL41A862101269.**

**2008 Yamaha Raptor 7 registered to Jayson Mickle with VIN # JY4AM14Y08C005058.**

**LPL Financial IRA account 5686-5886, value of $103,049.63, in the name of Jayson Mickle.**

**BB&T account # 0000157491040 in the name of Mickle Properties LLC (Jayson Mickle).**

**BB&T account # 0000250099347 in the name of Edibles LLC (Jayson Mickle).**

**BB&T account # 0000250099177 in the name of Edibles LLC (Jayson Mickle).**

**BB&T account #0250098677 in the name of Mickle Properties LT LLC (Jayson Mickle)**

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**Bank of America account # 4350-2928-7055 in the name of 7CitiesGifts LLC (Jayson Mickle).**

**Bank of America account # 4350-2085-0355 in the name of Hampton Pipe & Tobacco (Jayson Mickle).**

**Bank of America account # 4350-2586-3978 in the name of Jayson E. Mickle.**

**Bank of America account # 4350-2928-7149 in the name of Mickle Management LLC (Jayson Mickle).**

**Bank of America account # 4350-2928-4305 in the name of Mickle Management LLC (Jayson Mickle).**

**Bank of America account # 4350-2928-7136 in the name of Gift Card Gals LLC (Jayson Mickle).**

**BB&T account # 0005532739790 in the name of Jayson Mickle.**

**BB&T account #0000157490230 in the name of Jayson Mickle.**

**Note receivable of Mickle Properties LT LLC regarding 1816 Somerville Drive, Hampton, Virginia (Jayson Mickle).**

**One lot of coins seized from an address on Chowning Drive on October 16, 2014, excluding counterfeits (Jayson Mickle).**

**Bank of America cashier's check #94957776222 in the amount of $5,000 seized on December 11, 2014 (Jayson Mickle).**

**One Taurus .357 revolver with serial #1C118471 (Jayson Mickle).**

**All ammunition seized from an address on Chowning Drive on October 16, 2014 (Jayson Mickle).**

**One lot of checks, to include Check # 1021207862 in the amount of $1,079.82 and payble to Swagger Glass LLC, Check #0000461079 in the amount of $1,391.78 and payable to Hampton Pipe and Tobacco and Check #14459933 in the amount of $76.45 and payable to Hampton Pipe and Tobacco.**

2. The United States shall seize all forfeited property and shall take full and exclusive custody and control of same.

3. Upon the seizure of any property to satisfy all or part of the judgment, the United States shall, to the extent practicable, provide direct written notice to any persons known to have

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alleged an interest in the seized property, and shall publish notice of this order in accordance with Federal Rule of Criminal Procedure 32.2(b)(6).

4. Any person, other than the defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the Court for a hearing to adjudicate the validity of their alleged interest in the property.

5. Following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the *final* order of forfeiture, as provided by Federal Rule of Criminal Procedure 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property in accordance with law.

6. The parties stipulate and agree that the aforementioned judgment and assets represent property described in 21 U.S.C. § 853, and, as such, are subject to forfeiture thereunder. The defendant hereby waives the requirements of Federal Rules of Criminal Procedure 11(b)(1)(J), 32.2, and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment, and consents to the entry of this order.

7. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any appropriate discovery including depositions, interrogatories, requests for production of documents and for admissions, and the issuance of subpoenas, pursuant to Federal Rule of Civil Procedure 45, to identify, locate, or dispose of forfeitable property

Dated this 27th day of June 2016

Raymond A. Jackson
United States District Judge
UNITED STATES DISTRICT JUDGE

I ask for this:
Dana J. Boente
United States Attorney

By: ______________________
Eric H. Hurt VSB 35765
Kevin Hudson VSB 81420
Assistant United States Attorneys
Amy Cross-Rochefort 45289
Special Assistant United States Attorney
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Seen and Agreed
Jayson Mickle
Defendant

By: ______________________
Jayson Mickle

By: ______________________
Andrew A. Protogyrou
Counsel for Defendant
Protogyrou & Rigney, P.C.
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Norfolk, Virginia 23510
Office Number: (757) 625-1775
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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

| | | |
|---|---|---|
| UNITED STATES OF AMERICA | ) | |
| | ) | |
| v. | ) | Criminal No. 4:15-cr-18 |
| | ) | |
| JAYSON MICKLE, | ) | |
| | ) | |
| Defendant. | ) | |

**FINAL ORDER OF FORFEITURE**

WHEREAS on June 27, 2016, defendant Jayson Mickle pled guilty to Count One of a pending second superseding indictment, charging the defendant with Conspiracy to Distribute and Possess with Intent to Distribute Controlled Substances and Controlled Substance Analogues, in violation of 21 U.S.C. § 846, 813 and 802;

AND WHEREAS on June 27, 2016, the Court entered a Consent Order of Forfeiture forfeiting certain assets of the defendant to the United States of America;

AND WHEREAS on July 19, 2016 a public notice of criminal order of forfeiture was published for 30 consecutive days on an official government internet site (www.forfeiture.gov);

AND WHEREAS a Notice of Criminal Order of Forfeiture was provided, via certified mail, to the following believed to have an interest in the forfeited property:

- R. Gaines Tavenner, Counsel for Xenith Bank - notice received 7/1/16;
- Tonya Samuel for Fulton Financial Corporation - notice received 6/30/16;
- Adam M Carroll, Counsel for Old Point National Bank- notice received 6/30/16;
- Lisa Haywood for BB&T Bank – notice received 7/1/16;
- Bank of America Legal Order Processing – notice received 7/5/16;
- Mickey Trautz, Property Manager for Mickle Propeities - notice received 6/3016;
- Jayson Mickle, Registered Agent for 1 West Queens Way LLC - notice received 7/7/16;
- Jayson Mickle, Registered Agent for Hampton Pipe and Tobacco LLC - notice received 7/7/16;

EXHIBIT
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PENGAD-Bayonne, N. J.

- Jayson Mickle, Registered Agent for Mickle Properties, LLC- notice received 7/7/16;
- Jayson Mickle, Registered Agent for Mickle Properties, LT LLC - notice received 7/7/16;
- Jayson Mickle, Registered Agent for G Street LLC - notice received 7/7/16;
- Jayson Mickle, Registered Agent for Marshall Ave LLC - notice received 7/7/16;
- Jayson Mickle, Registered Agent for Edibles LLC - notice received 7/7/16;
- Jayson Mickle, Registered Agent for 7 City Gifts LLC - notice received 7/7/16;
- Jayson Mickle, Registered Agent, for Mickle Management LLC - notice received 7/7/16;
- Jayson Mickle, Registered Agent for Gift Card Gals LLC - notice received 7/7/16;
- Jayson Mickle, Registered Agent for Swagger Glass LLC - notice received 11/17/16;
- Mickle Properties LT - notice received 12/02/16;
- William Alpern, Registered Agent for W & R Rentals; LLC – certified mail returned by USPO;
- William and Roberta Alperin - notice received 11/19/16;
- Bertha F. Moff Irrevocable Trust c/o William and Roberta Alperin, Trustees - notice received 11/19/16;
- Edward W. Bleakly and Ann C. Bleakly – notice received 11/25/16;
- Bentley B. Hinman and Lillian B. Hinman - notice received 11/19/16;
- Amanda Rowe – certified mail returned by USPO;
- CT Corporation Registered Agent for CitiFinancial, Inc. - notice received 7/5/16;
- Corporation Service Agent Registered Agent for SunTrust Mortgage Inc. - notice received 7/11/16;
- CT Corporation Registered Agent for Household Finance Corporation - notice received 9/6/16;
- Langley Federal Credit Union - notice received 7/11/16;
- Michael Goodman Registered Agent for Bon Secours Hampton Roads Health Systems, Inc. - notice received 12/0216;
- CT Corporation System Registered Agent for American General Financial Services of America, Inc. - notice received 12/02/16.

AND WHEREAS petitions were filed by counsel for Xenith Bank, counsel for Old Point National Bank and counsel for Fulton Bank, N.A.

AND WHEREAS petitions were filed by tenants residing in three of the forfeited properties, Tammy Johnson and Robert Rogers,1007 80th Street, Newport News, VA; Nora M. Misenti, Esquire, Counsel for Hope Lynn, 127 Roland Drive, Hampton, VA; and James and Barbara Brantley, 106 Mulberry Avenue, Newport News, VA;

AND WHEREAS no additional ancillary petitions asserting an interest in the forfeited assets have been filed and the time for doing so has expired. Accordingly, pursuant to 21 U.S.C. § 853(n)(7), the United States is now entitled to clear title to the forfeited assets, free from any claims or encumbrances.

**IT IS THEREFORE ORDERED:**

1. The following assets are **CONDEMNED** and **FORFEITED** to the United States of America, which, by virtue of this Order, shall have clear title to said properties:

**2011 Ford Explorer registered to Jayson Mickle with VIN # 1FMHK8D82BGA21112. [15-ICE-000231]**

**Real property and improvements located at 1554 North King Street, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as: ALL that certain lot, piece or parcel of land, situate, lying and being in the City of Hampton, Virginia, known, designated and described as Lot Numbered THIRTY-EIGHT (38) in Block Letter "M", as shown on that certain plat entitled, "Sherwood Park", made by Girard Chambers and Son, dated January 1928, and recorded in Deed Book 88, Page 27, et seq., in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia. Tax Id Number: 8005012 [15-ICE-000014]**

**Real property and improvements located at 5907 Potomac Avenue, Newport News, Virginia, with all attachments and appurtenances thereto, and more fully described as: All that certain lot, piece or parcel of land, situate, lying and being in the City of Newport News, Virginia, known and designated as Lot Numbered Twelve (12), in Block Lettered "D" as shown on that certain plat entitled, "MAP OF BRIARFIELD, NEAR NEWPORT NEWS, VA", made by C.E. Anderson, Consulting Engineer and Architect, dated September 5, 1920, and is attached to a certain Deed from Suburban Homes Corporation to John Weymouth, Trustee, dated November 12, 1920, and duly recorded in the Clerk's Office of the Circuit Court, Part Two, for the City of Newport News, Virginia, in Plat Book 45 at page 488, to which plat reference is here made. Tax Id Number: 281000523 [15-ICE-000015]**

**Real property and improvements located at 127 Roland Drive, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as: ALL that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and designated as lot numbered six (6), in block lettered "D", as shown on that certain plat entitled, "WESTOVER SECTION TWO," dated January 10, 1959, made by Girard Chambers & Son, and recorded in the Clerk's Office of the Circuit Court of the City of Hampton, Virginia in Plat Book 2, Page 66, to which plat reference is made.**

Tax Id Number: 08V030020006 [15-ICE-000016]

Real property and improvements located at 25 Hard Wood Drive, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as: All that certain lot, piece or parcel of land, situate, lying and being in the City of Hampton, Virginia, being known, numbered and designated as Lot A, in Block 36, as shown on that certain plat entitled "PLAT OF CORRECTIONS OF MICHAELS WOODS OF NORTHAMPTON, SECTION TWO, PHASE THREE, CITY OF HAMPTON, VA," made by Miller-Stephenson & Associates, P.C., Engineers, Surveyors, Planners, dated July 14, 1991, and recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, in Plat Book 10, Page 67, to which plat reference is hereby made for a more particular description.
Tax Id Number: 4004037 [15-ICE-000017]

Real property and improvements located at 1007 80th Street, Newport News, Virginia, with all attachments and appurtenances thereto, and more fully described as: All that certain lot, piece or parcel of land, situate, lying and being in the City of Newport News, Virginia, known, numbered and designated as Lot Number Five (5), in Block SEVEN (7), as shown on that certain map or plat entitled, "NEW MARKET VILLAGE, SECTION 4, PART A, WARWICK VIRGINIA," made by W.B. Sours, C.E., a copy of which is duly recorded in the Clerk's Office of the Circuit Court for the City of Newport News, Virginia, in Plat Book 3, at page 139, to which plat or map reference is here made for a more particular description.
Tax Id Number: 274000314 [15-ICE-000018]

Real property and improvements located at 3302 Chestnut Avenue, Newport News, Virginia, with all attachments and appurtenances thereto, and more fully described as: ALL that certain lot, piece or parcel of land situate, lying and being in the City of Newport News, (formerly Warwick County), Virginia, known and designated as Lot Number Thirty-Three (33), in Block Numbered and Lettered Four-D (4-D), as shown on that certain map entitled, "Map of the Central Land Company's Property", made by C.M. Braxton, C.K., which said map is duly recorded in the Clerk's Office of the Circuit Court of the City of Newport News, Virginia in Plat Book 1, page 3, to which map reference is here made;
Tax Id Number: 301010414 [15-ICE-000019]

Real property and improvements located at 5001 Krick Street, Norfolk, Virginia, with all attachments and appurtenances thereto, and more fully described as:
All that certain lot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being in the City of Norfolk, Virginia, and being known, numbered and designated as Lots 1, 2, 3 and 4, in Block 33, as shown on that certain plat entitled, "PENNYSTOWN, PROPERTY OF PENNYSTOWN CORPORATION, GOLF PARK SECTION," which plat is duly recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Map Book 19, at Pages 20 & 21.
Tax Id Number: 0055-7570 [15-ICE-000020]

2004 36' Hunter "Slow Dance" with official number 1150109 in the name of Jayson Mickle. [15-ICE-000240]

Real property and improvements located at 83 West Mercury Boulevard and 85 West Mercury Boulevard, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
All those certain lots or parcels of land located in Chesapeake Borough, City of Hampton, Virginia and known and designated as Lots Numbered Six (6) and Seven (7), as shown on plat entitled, "NUHOMES", and duly recorded in Plat Book 2, Page 58, SECTION 11D-3, in the Clerk's Office of the Circuit Court of Hampton, Virginia.
Tax Id Numbers: 8000690 / 8000689 [15-ICE-000022 and 000023]

Real property and improvements located at 108 Twin Oaks Drive, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
ALL that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia known and described as Lot Sixty-Nine (69) as shown on the certain plat entitled, "GREENWOOD FARMS, SECTION FIVE, HAMPTON VIRGINIA" dated May 18, 1955, made by W.B. Sours, C.L.S., and C.E. of record in the Clerk's Office of the Circuit Court of Hampton, Virginia in Plat Book 3 at Page 204.
Tax Id Number: 3003705 [15-ICE-000024]

Real property and improvements located at 229 Pear Avenue, Newport News, Virginia, with all attachments and appurtenances thereto, and more fully described as:
All those certain lots, part lots part lots, pieces or parcels of land situate, lying and being in the City of Newport News, Virginia, known and designated as Lot Numbered Twenty-Six (26) and the southerly ten (10) feet, from front to rear, of Lot Numbered Twenty-Five (25), in the Block Numbered Twenty-Eight (28), as shown on that certain plat entitled, "Map of the Newport News Co.", made by Braxton, Chandler & Marye, and recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, in Deed Book 21, pages 324 and 370, to which reference is made. Together with all that portion of alleyway vacated by the City of Newport News, Virginia, pursuant to Ordinance 3254-84, a copy of which is recorded in the aforesaid Clerk's Office in Deed Book 1087, page 1636. Together with all and singular the buildings and improvements thereon, the rights and privileges, tenements, hereditaments, easements and appurtenances unto the said land belonging or in anywise appertaining.
Tax Id Number: 296040221 [15-ICE-000025]

Real property and improvements located at 41 Gumwood Drive, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and designated as Lot Numbered Twenty-Seven (27), as shown on that certain plat entitled, "GREENWOOD FARMS, SECTION FIVE, HAMPTON, VIRGINIA," made by W.B. Sours, C.L.S. & C.E., dated May 18, 1955, and duly of record in the Clerk's Office of the City of Hampton, Virginia, in Plat Book 3, Page 204.

Tax Id Number: 3003663 [15-ICE-000026]

Real property and improvements located at 12 Watts Drive, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
All that certain lot, piece or parcel of land with privileges and appurtenances thereunto belonging, situated in the City of Hampton, Virginia, and being shown and designated as Lot Two (2), on a certain plat entitled, "ARMSTEAD HEIGHTS, SECTION TWO," made by E.J. Keller, Land Surveyor, dated May 29 1975, which said plat is of record in the Clerk's Office of the Circuit Court of the City of Hampton, Virginia in Plat Book 7, Page 7, to which plat reference is here made.
Tax Id Number: 7001746 [15-ICE-000027]

Real property and improvements located at 382 Schley Avenue, Hampton Virginia, with all attachments and appurtenances thereto, and more fully described as:
ALL THOSE certain lots, pieces or parcels of land, with the buildings and improvements thereon, situate, lying and being in the City of Hampton, Virginia, being known, numbered and designated as Lots 25 and 27, as shown on that certain plat entitled, "Plat of J.B. Lake's Estates, City of Hampton, Virginia", dated September 29, 1987 made by T.J. Savage and Associates, Surveyors and Land Planners, which said plat is duly recorded in the Clerk's Office of the Circuit Court of the City of Hampton, Virginia, in Deed Book 866 at page 801.
Tax Id Number: 1004128 [15-ICE-000028]

Real property and improvements located at 7 Pine Lane, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and designated as 0.344 ac. on that certain plat entitled; plat of the property of Mark W. Hill and Leann S. Hill containing 0.344 ac. Hampton, Virginia dated April 20, 1987, and made by J.J. Alfonso, Survey-Planner. Subject to all Apparent on the ground, together with all and singular the buildings and improvements thereon, the tenements, hereditaments, and further including any and all rights to that certain plat entitled plat, part of John W. Virginia J. Clarks land, made by Girard Chambers and Son, dated August 2, 1949, and recorded in the Clerk's Office aforesaid in Deed Book 166, page 279.
Tax Id Number: 10000032 [15-ICE-000071]

Real property and improvements located at 69 Chowning Drive, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
All that certain lot, piece or parcel of land, situate, lying and being in the City of Hampton, Virginia, and known and designated as Lot Numbered Fifteen (15), as shown on that certain plat entitled, "COLONIAL ACRES, SECTION FOUR, CITY OF HAMPTON, VIRGINIA", made by Thomas J. Savage, Jr., certified land surveyor, dated February 3, 1981, and duly recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, in Plat Book 7, Page 82, to which reference is here made.
Tax Id Number: 11002398 [15-ICE-000072]

Real property and improvements located at 647 Grimes Road, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
All that certain lot, piece or parcel of land, situate, lying and being in the City of Hampton, Virginia, known, designated and described as Lot Numbered Two (2), in Block Lettered "B", as shown on that certain plat entitled, "Washington Gardens, City of Hampton, Virginia, Street No. 1 etc" made by John W. Lawson, Certified Land Surveyor, dated May 22, 1954, a copy of which plat is duly recorded in the Clerk's Office of the Circuit Court of the City of Hampton, Virginia, in Plat Book 3 Page 150.
Tax Id Number: 12003122 [15-ICE-000074]

Real property and improvements located at 1904 Long Green Lane, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
All that certain lot, piece or parcel of land situate, lying and being in the Borough of Chesapeake, City of Hampton, Virginia, comprising the northerly portion of Lot Numbered Four Hundred Twenty-Nine (429) in Block Numbered Eight (8), as shown on that certain plat entitled, "Resurvey of the Plat of Fordham, Hampton, Virginia", made by Walker S. Grant, Jr., Certified Civil Engineer, dated June 1, 1953, and recorded July 31, 1953, in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, in Miscellaneous Plat Book 1, at Page 4.
Tax Id Number: 12004133 [15-ICE-000075]

Real property and improvements located at 1128 Elizabeth Court, Newport News, Virginia, with all attachments and appurtenances thereto, and more fully described as:
ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE CITY OF NEWPORT NEWS, VIRGINIA, KNOWN AND DESIGNATED AS LOT NUMBERED ELEVEN (11), AS SHOWN ON THAT CERTAIN PLAT ENTITLED, "BIRDELLA ESTATES, SECTION 7, NEWPORT NEWS, VIRGINIA", MADE BY JOHN W. LAWSON, C.L.S., AND DATED FEBRUARY 18, 1962, A COPY OF WHICH PLAT IS DULY RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF NEWPORT NEWS, VIRGINIA, IN PLAT BOOK 6, PAGE 12, TO WHICH REFERENCE IS HERE MADE.
Tax Id Number: 280000609 [15-ICE-000076]

Real property and improvements located at 434 Rogers Avenue, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
ALL that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and designated as Lot Numbered Twenty-Eight (28) in Block Lettered "B" as shown on that certain plat entitled "Buckroe Gardens," property now or formerly of Hundley and Applewhite, Inc., made by Girard Chambers, Civil Engineer, dated September 27, 1978, and duly recorded in the Clerk's Office of the Circuit court for the City of Hampton, Virginia, in Plat Book 2, Page 45, to which reference is here made.
Tax Id Number: 11002730 [15-ICE-000077]

Real property and improvements located at 1111 Easterly Avenue, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as: ALL THAT certain lot, piece or parcel of land, together with the buildings and improvements thereon, situate and being in the City of Hampton, Virginia, and known and designated as Lot Number Twenty-two (22), in Block Eleven (11), as shown on that certain plat entitled, "Plat of Ransone Brothers King Street Extension", which plat is recorded in Deed Book 26, Pages 4-7, in the Clerk's Office of the Circuit Court of the City of Hampton, Virginia, to which plat reference is hereby made.
PIN# 8000480 [15-ICE-000078]

Real property and improvements located at 1285 Old Buckroe Road, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as: All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and designated as 1285 Old Buckroe Road, as shown on that certain plat entitled, "PLAT OF THE PROPERTY OF RAYMOND M. and ENES L. MORGAN, Lot Twenty-One (21) and part of Lot Twenty-Four (24), in Block Four (4), PLAT OF FORDHAM, CITY OF HAMPTON, VIRGINIA", made by Becouvarakis and Savage, Surveyors and Planners dated August 19, 1974, and attached to that certain Deed dated August 19, 1974, from Charles L. Mendel, et ux, to Raymond M. Morgan, et us, and duly recorded in Deed Book 476 at Page 562, in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia.
Tax Id Number: 12M001-00-04021 [15-ICE-000079]

Real property and improvements located at 3003 Marshall Avenue, Newport News, Virginia, with all attachments and appurtenances thereto, and more fully described as: All those certain lots, pieces or parcels of land situate, lying and being in the City of Newport News, Virginia, known and designated as Lots Numbered SIX (6), entitled, "PLAT OF THE PROPERTY OF CURTIS T. & MARILU P. HILL, LOTS 6, 7, & 8, BLOCK 177, MAP OF PART OF THE CITY OF NEWPORT NEWS, VA", made by Davis & Associates, Surveyors & Planners, York County, Virginia, dated August 12, 1982, a copy of which plat is attached to and recorded with deed dated August 17, 1982, from William T. Stone, et ux, to Curtis T. Hills, et ux, in Deed Book 1052, page 182, to which plat reference is here made.
Tax Id Number: 306010428 [15-ICE-000080].

Real property and improvements located at 106 Mulberry Avenue, Newport News, Virginia, with all attachments and appurtenances thereto, and more fully described as: ALL that certain lot, piece or parcel of land located in the City of Newport News, Virginia, known and designated as Lot Numbered Twenty-One (21) and Twenty-Two (22), as shown on that certain plat entitled, "MAP OF NEWPORT NEWS, HAMPTON AND OLD POINT DEVELOPMENT COMPANY'S PROPERTY" of record in the Clerk's Office of the Circuit Court of the City of Hampton, Virginia in Deed Book 21, page 321 to 323.
Tax Id Number: 308010522 [15-ICE-000081]

Real property and improvements located at 915 G Street, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, SITUATE AND BEING IN THE CITY OF HAMPTON, VIRGINIA, AND BEING A NORTHERLY OR NORTHWESTERLY PORTION OF THAT CERTAIN PARCEL OF LAND CONTAINING 2.88 ACRES; AND BEING MARKED, "CHAS. A. HULCHER" ON THAT CERTAIN PLAT ENTITLED, "PLAT OF THE PROPERTY OF CHARLES A. HULCHER, CITY OF HAMPTON, VIRGINIA", DATED MARCH 27, 1954, MADE BY R.F. PYLE, CERTIFIED LAND SURVEYOR, WHICH PLAT IS ATTACHED TO AND RECORDED WITH THAT CERTAIN DEED FROM THE CITY OF HAMPTON, VIRGINIA TO CHARLES A. HULCHER, DATED MARCH 31, 1954, AND RECORDED IN DEED BOOK 215, PAGE 387, IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF HAMPTON, VIRGINIA.
Tax Id Number: 1000698 [15-ICE-000082]

Real property and improvements located at 1 West Queens Way, Hampton, Virginia, with all attachments and appurtenances thereto, and more fully described as:
ALL that certain lot, tract or parcel of land, lying, being and situate in the City of Hampton, Virginia, designated as PARCEL NO.C-8-7, containing 35,513 square feet, more or less, all as shown on that Disposal Plat entitled "HAMPTON REDEVELOPMENT AND HOUSING AUTHORITY PLAT SHOWING PARCEL C-8-7, SECTION THREE, OLD HAMPTON URBAN RENEWAL PROJECT, VIRGINIA R-41," made by Murray & Dieckinger, Engineers, and dated May 26, 1969, revised June 5, 1969, June 11, 1969 and November 14, 1969, a copy of which is attached to and recorded with Deed recorded in Deed Book 428, page 605.
Tax Id Number: 2002886 [15-ICE-000084]

2011 Ford Mustang registered to Hampton Pipe and Tobacco LLC with VIN # 1ZVBP8CF7B5144893. [15-ICE-000241]

2001 Ford Motor Home registered to Mickle Properties LLC with VIN # 1FDXE45SXYHB96029. [15-ICE-000242]

2006 Suzuki LT450R registered to Jayson Mickle with VIN # JSAAL41A862101269. [15-ICE-000243]

2008 Yamaha Raptor 7 registered to Jayson Mickle with VIN # JY4AM14Y08C005858. [15-ICE-000244]

LPL Financial IRA account 5686-5886, value of $103,049.63, in the name of Jayson Mickle. [15-ICE-000172]

BB&T account #0250098677 in the name of Mickle Properties LT LLC. [15-ICE-002578]

Bank of America account # 4350-2928-7055 in the name of 7CitiesGifts LLC.

[15-ICE-000103]

Bank of America account # 4350-2085-0355 in the name of Hampton Pipe & Tobacco. [15-ICE-000104]

Bank of America account # 4350-2586-3978 in the name of Jayson E. Mickle. [15-ICE-000105]

Bank of America account # 4350-2928-7149 in the name of Mickle Management LLC. [15-ICE-000106]

Bank of America account # 4350-2928-4305 in the name of Mickle Management LLC. [15-ICE-000107]

Bank of America account # 4350-2928-7136 in the name of Gift Card Gals LLC. [15-ICE-000108]

BB&T account # 0005532739790 in the name of Jayson Mickle. [15-ICE-000098]

Note receivable of Mickle Properties LT LLC regarding 1816 Somerville Drive, Hampton, Virginia. [15-ICE-000174]

One lot of coins seized from an address on Chowning Drive on October 16, 2014. [15-ICE-000251]

Bank of America cashier's check #9495776222 in the amount of $5,000 seized on December 11, 2014. [15-ICE-001518]

One Taurus .357 revolver with serial #1C118471. [15-ICE-001209]

All ammunition seized from an address on Chowning Drive on October 16, 2014. [15-ICE-001516]

One lot of checks, to include Check # 1021207862 in the amount of $1,079.82 and payable to Swagger Glass LLC and Check #0000461079 in the amount of $1,391.78 and payable to Hampton Pipe and Tobacco. [15-ICE-001169]

2. The Department of Homeland Security/U.S. Customs and Border Protection and/or their duly appointed agent are directed to pay petitioner, Old Point National Bank $709,737.39 in outstanding principal, $1,756.08 in interest through July 18th, 2016 plus $97.59 interest per diem thereafter, $9,784.70 in unpaid loan fees and $5,358 in attorney's fees after the sale of real property and improvements located at 1 West Queens Way, Hampton, Virginia.

3. The Department of Homeland Security/U.S. Customs and Border Protection and/or their duly appointed agent are directed to pay petitioner, Fulton Bank, N.A., outstanding principal and interest of $431,198.53 calculated through January 20th, 2017 plus interest per diem accruing thereafter and attorney's fees of $2,551.20 after the sale of real property and improvements located at 69 Chowning Drive, Hampton, Virginia.

4. The Department of Homeland Security/U.S. Customs and Border Protection and/or their duly appointed agent are directed to pay petitioner, Xenith Bank, the sum of $213,000 after the sale of the real properties and improvements located at 83 West Mercury Boulevard, 85 West Mercury Boulevard, Hampton, Virginia, 108 Twin Oaks Drive, Hampton Virginia and 229 Pear Avenue, Newport News, Virginia.

5. The Department of Homeland Security/U.S. Customs and Border Protection and/or their duly appointed agent are directed to reimburse tenants, Tammy Johnson and Robert Rogers, as well as Hope Lyon, their security deposits upon vacating their respective rental property. As to Tammy Johnson and Robert Rogers, the amount of the security deposit to be reimbursed is $2,200. As to Hope Lyon, the amount of the security deposit to be reimbursed is $750.

6. The real property and improvements located at 1007 80th Street in Newport News, Virginia 23605 is forfeited to the United States subject to the leaseholder interest of Tammy Johnson and Robert Rogers, which leaseholder interest shall elapse and extend no further on April 30th, 2017.

7. The real property and improvements located at 106 Mulberry Avenue in Newport News, Virginia 23607 is forfeited to the United States subject to the leaseholder

interest of James and Barbara Brantley, which leaseholder interest shall elapse and extend no further on February 28th, 2017.

8. For reasons stated in the Government's motion, the following petitions are now moot and are DISMISSED from further forfeiture proceedings:

a. Verified Petition of the Old Point National Bank of Phoebus to Assert its Ownership Interest in Forfeited Property filed July 20, 2016 (Document 336);

b. Notice of Claim and Petition by Fulton Bank N.A. filed July 21, 2016, (Document 338);

c. Tenant interest filed by Tammy Johnson and Robert Rogers, on September 1, 2016 (Document 410);

d. Tenant interest filed as a Petition for Third Party Claims on Criminally Forfeited Properties, on September 23, 2016 (Document 423);

e. Tenant interest filed by James and Barbara Brantley on October 3, 2016 (Document 467).

f. The petition filed by Xenith Bank (Document 349) shall be dismissed at the conclusion of the forfeiture cases pending in U.S. v. Jayson Mickle, Criminal No. 4:15cr18 15cr18 and U.S. v. David Jay Mickle, Criminal No. 4:15cr18.

9. The United States is directed to return the original, unnegotiated check #1021207862 in the amount of $1,079.82 payable to Swagger Glass, LLC to Bank of America, N.A., whereupon Bank of America, N.A. is directed to issue a check in the same amount payable to Department of Homeland Security/U.S. Customs and Border Protection.

10. The United States is directed to return the original, unnegotiated check #0000461079 in the amount of $1,391.78 payable to Hampton Pipe and Tobacco LLC to the

Virginia Department of the Treasury Unclaimed Property Section, whereupon the Virginia Department of the Treasury Unclaimed Property Section is directed to issue a check in the same amount payable to Department of Homeland Security/U.S. Customs and Border Protection.

11. For reasons stated in the Government's motion, the following assets are **DISMISSED** from further forfeiture proceedings in this case:

a. BB&T account # 0000157491040 in the name of Mickle Properties LLC. [15-ICE-000094]

b. BB&T account # 0000250099347 in the name of Edibles LLC. [15-ICE-000097]

c. BB&T account # 0000250099177 in the name of Edibles LLC. [15-ICE-000095]

d. BB&T account #0000157490230 in the name of Jayson Mickle. [15-ICE-000102]

e. Check #14459933 in the amount of $76.45 and payable to Hampton Pipe and Tobacco. [15-ICE-002812]

12. This Order shall be recorded among the land records of the City of Newport News, Virginia, the City of Norfolk, Virginia and the City of Hampton, Virginia, the jurisdictions in which the forfeited properties are located, and shall operate to release, relinquish, and extinguish any and all interests in this real property not otherwise protected by this order.

13. The Department of Homeland Security/Customs and Border Protection and/or their duly appointed agent are directed to seize the forfeited property and take full and exclusive custody and control of same. The Department of Homeland Security/U.S. Customs and Border Protection and/or their duly authorized agent are authorized to make immediate entry onto the forfeited real property for the purposes of inspection, preservation, security, and safety, and for any other purpose related to the forfeiture of the property.

14. All right, title, and interest in the forfeited properties vest in the United States as of the date of this Order.

15. The United States shall dispose of all forfeited properties according to law.

Raymond A. Jackson
United States District Judge
UNITED STATES DISTRICT JUDGE

At Newport News, Virginia
This 15th day of March 2017

I Ask for This:
Dana J. Boente
United States Attorney

By: /s/ Kevin Hudson

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